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7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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10 KFD ENTERPRISES, INC., ) Case No. 08-04571-SC  
11 Plaintiff, )  
12 v. ) ORDER GRANTING IN PART AND  
13 CITY OF EUREKA, et al. ) DENYING IN PART REQUESTS  
14 Defendants. ) FOR DISMISSAL WITH  
15 AND RELATED COUNTER- AND CROSS- ) PREJUDICE AS TO WINZLER &  
16 CLAIMS ) KELLY CONSULTING ENGINEERS,  
17 ) ENVIRONMENTAL RESOLUTIONS,  
18 ) INC., AND CADNO USA INC.  
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20 The Court previously granted a motion for approval of a  
21 settlement between KFD Enterprises, Inc. ("KFD") and Winzler &  
22 Kelly Consulting Engineers ("WKCE"), as well as another motion for  
23 approval of a settlement between KFD and Environmental Resolutions,  
24 Inc. and Cardno USA, Inc. (collectively, "ERI"). ECF Nos. 658,  
25 662. KFD now requests dismissal with prejudice as to WKCE and ERI  
26 pursuant to the Court's prior orders. ECF Nos. 663, 664. The  
27 requests are unopposed but could be more clearly worded. The  
28 requests are GRANTED to the extent that KFD seeks dismissal with

1 prejudice as to the pending claims in this action against WKCE and  
2 ERI. The requests are also GRANTED to the extent KFD seeks  
3 dismissal with prejudice of WKCE and ERI's claims against KFD. The  
4 requests are DENIED to the extent that they seek dismissal of all  
5 claims against KFD, including those of the City of Eureka.

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7 IT IS SO ORDERED.

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9 April 11, 2014

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11 UNITED STATES DISTRICT JUDGE

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